



Rev. 08/01/2003

AF  
JPW

Attorney Docket No.

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Jian ZHAO *et al.*

Confirmation No.: 6959

Serial No.: 10/601,314

Group Art Unit: 1625

Filed: June 20, 2003

Examiner: Bernard I. Dentz

For: METHODS OF MAKING AND USING THEAFLAVIN, THEAFLAVIN-3-GALLATE, THEAFLAVIN-3'-GALLATE AND THEAFLAVIN 3,3'-DIGALLATE AND MIXTURES THEREOF

### Mail Stop Amendment

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

### TRANSMITTAL OF RESPONSE

Enclosed are the following documents in response to the Notice of Non-Compliant amendment mailed December 9, 2005 and the Office Action mailed July 29, 2005 for the above-identified application:

- ☒ [X] Amendment/Response with corrections as indicated on the Notice of Non-Compliant Amendment mailed December 9, 2005. The original Amendment/Response was timely filed on November 29, 2005.
- ☐ [ ] Petition for Extension of Time
- ☐ [ ] Request for Approval of Drawing Changes
- ☐ [ ] Information Disclosure Statement
- ☐ [ ] Notice of Appeal
- ☐ [ ] Associate Power
- ☐ [ ] Revocation and New Power
- ☐ [ ] Change of Address
- ☐ [ ] Return receipt postcard
- ☐ [ ] Check No. \_\_\_\_ in the amount of \$ \_\_\_\_\_ for the total fee as calculated below
- ☐ [ ] Other:

The fee has been calculated as follows:

	NO. OF CLAIMS	CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	73	- 74 =		x \$50.00	
Independent Claims	9	- 23 =		x \$200.00	
If multiple dependent claims are presented, add \$360.00					
Total Amendment Fee					
If small entity status is applicable, subtract 50% of Total Amendment Fee					
Other fees: (specify)					
<b>TOTAL FEE DUE</b>					0.00

☐ A check for the total fee is attached.

☐ Please charge \$ to Deposit Account No. (PA) 03-3117 (RE) 50-1283 for the total fee. This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. (PA) 03-3117 (RE) 50-1283.

Dated: January 5, 2006

COOLEY GODWARD LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5656  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
COOLEY GODWARD LLP

By:

Jayme A. Huleatt  
Jayme A. Huleatt  
Reg. No. 34,485



Attorney Docket No. NASH-001/03US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Jian ZHAO *et al.*

Serial No.: 10/601,314

Examiner: Dentz, Bernard I.

Confirmation No.: 6959

Art Unit: 1625

Filed: June 20, 2003

For: **METHODS OF MAKING AND USING THEAFLAVIN, THEAFLAVIN-3-GALLATE, THEAFLAVIN-3'-GALLATE AND THEAFLAVIN 3,3'-DIGALLATE AND MIXTURES THEREOF**

---

U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Customer Window, **Mail Stop RCE**  
Alexandria, Virginia 22314

**REPLY AND AMENDMENT UNDER 37 C.F.R. 1.116**

In response to the Notice of Non-Compliant Amendment mailed December 9, 2005 and the Office Action mailed July 29, 2005, Applicants resubmit the following Reply and Amendment under 37 C.F.R. §1.116 that accompanied a Request for Continued Examination that was filed on November 29, 2005. The present Reply and Amendment differs only from the previously submitted reply by containing minor amendments to the Listing of Claims to address the objections set forth in the Notice of Non-Compliant Amendment and to clarify claim language and claim dependencies. The present response is timely as it is filed within one month of the December 9, 2005 mail date. The period for response had been previously extended to November 29, 2005 by the previously submitted Petition for Extension of Time, which made the original submission timely.

If additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-1283.

**Amendments to the claims** are reflected in the **Listing of Claims** that begins on page 3 of this paper.

**Remarks** begin on page 13 of this paper.